

REMARKS

The applicants acknowledge and appreciate receiving an initialed copy of the form PTO-1449 that was filed on 20 January 2004.

The applicants note that there is no acknowledgement of the claim for priority under section 119, nor any indication that the certified copy of the priority documents has been received. Accordingly, attached hereto is a copy of:

- OIPE hand delivery filing receipt, stamped by OIPE on January 20, 2004, acknowledging receipt of items including the Japanese priority document JP2003-023647; and
- Stamped postcard receipt of January 20, 2004 acknowledging receipt of items including the Japanese priority document JP2003-023647.

A postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO. Inasmuch as the above items are properly itemized on the postcard receipt and the filing receipt, it is respectfully submitted that the priority document was submitted. Acknowledgment of the document and the claim for priority is respectfully requested.

A typographical error was noted in Fig. 1. Attached hereto is a replacement sheet for Fig. 1. The reference elements “C02” and “C03” have been amended to “C01” and “C02”, respectively, to conform to Fig. 2. Also, by way of the above amendment, the specification has been changed to conform.

Claim 6 was amended to remedy a cosmetic defect.

Claims 2 – 7 are pending. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

On page 3 of the office action, dependent claims 2 – 7 were objected to, but indicated as being allowable if rewritten in independent form. Claims 2 – 4 have been re-written in independent form to include wording similar to claim 1. In view of the above, it is respectfully requested that the objection be withdrawn.

The applicant has rewritten the claims in independent form since the office action indicated that claims 2 – 7 would be allowable if so re-written. However, the applicant does not concede that other features in the claims are found in the prior art.

The applicant wishes to clarify for the record, if necessary, that the claims have been amended to expedite prosecution. Moreover, the applicant reserves the right to pursue the original subject matter in a continuation application.

The amendment to the claims is not to be construed as a surrender of any subject matter between the original claims and the present claims; rather this is merely an attempt at providing one or more definitions of what the applicants believe to be suitable patent protection. In addition, the present claims provide the intended scope of protection that the applicants are seeking for this application. Therefore, no estoppel should be presumed, and the applicants' claims are intended to include a scope of protection under the Doctrine of Equivalents.

For all the reasons advanced above, the applicant respectfully submits that the claims as amended are allowable.

Claim 1 was rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,939,725, Matsuda et al. (“Matsuda”) in view of U.S. Patent No. 6,534,883, Yoshida et al. (“Yoshida”). It is respectfully submitted that the rejection is moot because claim 1 has been canceled.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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AMENDMENTS TO THE DRAWINGS

The attached drawing sheet include includes changes to Fig. 1.

Attachment: 1 Replacement Sheet